

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-cv-470-MOC-DCK**

PREGEL AMERICA, INC.,

Plaintiff,

vs.

MARCO CASOL, TANIA SOVILLA,

Defendants.

ORDER

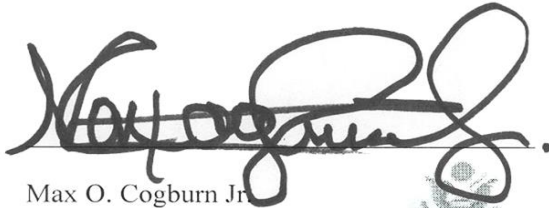
THIS MATTER is before the Court on its own motion. Plaintiff PreGel America, Inc. filed this action on August 24, 2020, against Defendants Marco Casol and Tania Sovilla. A summons showing service on Defendants has never been returned as executed. On December 17, 2020, Plaintiff filed a Notice of Service Pursuant to Rule 4(f), explaining that Plaintiff is attempting to serve Defendants, who are both Italian citizens and reside in Italy. Since the filing of that Notice, however, Plaintiff has not returned a summons showing that service has been made on Defendants. Although there is no specific time limit for service under Federal Civil Rule of Procedure 4(f), a plaintiff may not put off service indefinitely. Since Plaintiff filed this action more than seven months ago, Plaintiff needs, at the least, to explain to this Court why service has not yet been made on Defendants. At some point, where service has not been made and a significant amount of time has passed, the Court has inherent authority to dismiss an action for failure to prosecute.

Therefore, Plaintiff is ordered to explain to the Court why Defendants have not yet been served and why this matter should not be dismissed for failure to prosecute. Plaintiff shall have

thirty days to respond to this Order. If Plaintiff does not respond within thirty days, this matter may be subject to dismissal without prejudice and without further notice to Plaintiff.

IT IS SO ORDERED.

Signed: June 1, 2021

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.
United States District Judge